

REMARKS

This Amendment is responsive to the Office Action mailed on August 10, 2006. Claims 1, 7, 12, 18-20, and 23-26 are amended. Claim 21 is cancelled. Claims 1-20 and 22-27 are pending.

The specification is objected to due to various spelling errors and informalities. The specification is amended herein in accordance with the Examiner's requirements. The specification has also been amended to correct a typographical error and for clarity. Withdrawal of the objections to the specification is respectfully requested.

Claim 21 is rejected as being indefinite. Claim 21 is cancelled and the subject matter of claim 21 has been added to claim 1, with the language amended herein overcome the indefiniteness rejection. Withdrawal of this rejection is respectfully requested.

Claims 1-20, 22, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Arnegger (US 4,513,742) in view of Sonefors (US 5,361,665).

Claims 23-26 are rejected under 35 U.S.C. § 102(a) as being unpatentable over Arnegger in view of Sonefors, in further view of Gerber (US 4,653,373).

The Examiner has not substantively rejected claim 21 in view of the prior art.

Applicant respectfully traverses these rejections in view of the amended claims and the following comments.

Discussion of Amended Claims

Claim 1 is amended to include the subject matter of claim 21, which has been cancelled to avoid duplication of claimed subject matter. Claim 1 is also amended to specify that each tooth is formed with a first tooth flank, a second tooth flank, and a third tooth flank in the vicinity of the tip of a tooth (see, e.g., Applicant's specification, page 9, lines 28-31). As the Examiner has not raised any prior art rejection regarding the subject matter of claim 21, Applicant respectfully submits that amended claim 1 is allowable.

Claims 13, 15, and 20 are amended to conform to the amendments to claim 1.

Claims 7, 12, 18-20, and 23-26 are amended for clarity and to overcome potential antecedent basis problems with the claim language.

Discussion of Prior Art

The prior art cited by the Examiner does not disclose or remotely suggest a surgical saw blade for cutting bone having a row of teeth where each tooth is formed with a first tooth flank, a second tooth flank, and a third tooth flank in the vicinity of the tip of a tooth and where the first tooth flanks of every other tooth in the row of teeth lie in a plane, as claimed by Applicant in amended claim 1.

The Examiner has acknowledged that Arnegger fails to disclose teeth formed with three flanks in the vicinity of the tip of the tooth (Office Action, page 4). The Examiner relies on Sonefors as disclosing a saw tooth with three flanks 4, 5, and 6 shown in Figure 2.

Applicant respectfully disagrees with the Examiner's interpretation of Sonefors. In Figure 2 of Sonefors, reference numeral 4 is used to designate the entire tooth (shaving tooth 4 - see e.g., Col. 2, lines 43 and 61; Col. 3, line 3); the reference numeral 6 is used to designate a top surface of the shaving tooth 4 (Col. 3, lines 48-50); and reference numeral 5 is used to designate a transversal edge of the top surface 6 (Col. 2, line 54). Thus only reference numeral 6 of Sonefors is equivalent to a tooth flank.

Thus, Sonefors does not disclose or remotely suggest a row of saw teeth where each tooth is formed with three flanks or a row of such teeth where the first tooth flanks of every other tooth in the row of teeth lie in a plane, as claimed by Applicant.

Gerber discloses a knife blade for cutting sheet metal which does not contain any saw teeth.

Applicant respectfully submits that the present invention is not anticipated by and would not have been obvious to one skilled in the art in view of Arnegger, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicant's silence as to

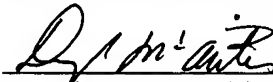
any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,



Douglas M. McAllister
Attorney for Applicant(s)
Registration No.: 37,886
Lipsitz & McAllister, LLC
755 Main Street
Monroe, CT 06468
(203) 459-0200

ATTORNEY DOCKET NO.: HOE-764

Date: October 19, 2006